

FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO

CORYNNE MCSHERRY (SBN 221504)
corynne@eff.org
MATTHEW ZIMMERMAN (SBN 212423)
mattz@eff.org
ELECTRONIC FRONTIER FOUNDATION
815 Eddy Street
San Francisco, CA 94109
Telephone: (415) 436-9333
Facsimile: (415) 436-9993

DAVID HALPERIN (admitted *pro hac vice*)
davidhalperindc@gmail.com
1530 P Street NW
Washington, DC 20005

ANDREW P. BRIDGES (SBN 122761)
abridges@fenwick.com
JAMES J. VARELLAS III (SBN 253633)
jvarellas@fenwick.com
KATHLEEN LU (SBN 267032)
klu@fenwick.com
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco, CA 94104
Telephone: 415.875.2300
Facsimile: 415.281.1350

Attorneys for Plaintiff
PUBLIC.RESOURCE.ORG

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PUBLIC.RESOURCE.ORG,

Plaintiff,

v.

SHEET METAL AND AIR CONDITIONING
CONTRACTORS' NATIONAL
ASSOCIATION, INC.,

Defendant.

Case No.: 3:13-cv-00815 SC

**PLAINTIFF
PUBLIC.RESOURCE.ORG'S MOTION
TO POSTPONE CASE
MANAGEMENT CONFERENCE AND
ASSOCIATED DEADLINES**

Pursuant to Civil Local Rule 6-3, Plaintiff PUBLIC.RESOURCE.ORG (“Public Resource”) hereby moves the Court to postpone the June 14, 2013, Case Management Conference and its associated deadlines until after the July 19, 2013, hearing on Public Resource’s Motion for Default Judgment. (Dkt. No. 22.)

A postponement of the current deadlines will avoid unnecessary activity and burden because, after waiving service (Dkt. No. 11), Defendant SHEET METAL AND AIR CONDITIONING CONTRACTORS’ NATIONAL ASSOCIATION, INC. (“SMACNA”) failed to respond to the Complaint by the April 30, 2013, deadline (Dkt. No. 19), counsel for SMACNA notified counsel for Public Resource that SMACNA “is not intending on filing a responsive pleading” on May 3, 2013 (Dkt. No. 18, Ex. 1), the Clerk entered Default against SMACNA on May 8, 2013 (Dkt. No. 20), and Public Resource has now filed a Motion for Default Judgment, which is to be heard on July 19, 2013. (Dkt. No. 22.)

Accordingly, Public Resource asks the Court to take the June 14, 2013, Case Management Conference off calendar until after its Motion for Default Judgment is heard on July 19, 2013.

Dated: May 30, 2013

FENWICK & WEST LLP

By: /s/ James J. Varellas III
James J. Varellas III

Attorneys for Plaintiff
PUBLIC.RESOURCE.ORG

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